IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION (BAIL) NO. 84 OF 2007

SHRI. TULSIDAS VITHOBA VELIP ... Appellant
Versus
STATE OF GOA THROUGH THE PUBLIC PROSECUTOR ... Respondent

Mr. Arun Bras De Sa, Advocate for the Applicant.
Ms. Winnie Coutinho, Public Prosecutor for the Respondent.

Coram:- N. A. BRITTO, J.

Date:- 3rd May, 2007

P.C.:-

Heard the learned Counsel on behalf of the applicant and the learned Public Prosecutor on behalf of the respondent.

The applicant herein is involved in Crime No.32/2007 of Quepem Police Station under Sections 452, 427, 506(ii) IPC and Section 3 r/w Section 25 of the Arms Act,1958. The incident took place on 17-3-2007 at about 13.00 hours and a FIR came to be filed as regards the said incident on 20-3-2007. The applicant thereafter approached the Court of Sessions with an application for anticipatory bail which came to be rejected by Order dated 28-03-2007. In the reply filed, it can be seen that the informant after the filing of the FIR on 20-3-2007 of the alleged incident which took place on 17-3-2007 filed an application on 24-3-2007 withdrawing his complaint.

Admittedly, the applicant has not been arrested till date and no reasons for not arresting the accused are forthcoming. Considering that the incident had taken place on 17-3-2007 and the FIR was filed with some delay on 20-3-2007 and subsequently the said FIR was sought to be withdrawn on 24-3-2007 and further considering that the applicant has not been arrested till date this would be a fit case to grant anticipatory bail

sought for by the applicant.

The application is granted. In the event of the arrest of the applicant he shall be released on bail upon execution of a bond of Rs.10,000/- with one surety in the like amount to the satisfaction of the I.O. and with a further condition that the applicant shall remain present at the Police Station between 8.00 to 12.00 noon for five days for the purpose of further investigation.

Application disposed of on the above terms.

N. A. BRITTO, J.

RD.